

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08 MD 1932**

**IN RE FAMILY DOLLAR FLSA
LITIGATION,**

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ORDER

Concerning Grace v. Family Dollar Stores, Inc.
3:06cv306; Ward v. Family Dollar Stores, Inc., No.
3:06cv441

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THIS MATTER is before the court on Defendant's Motion for Summary Judgment as to Plaintiff Jimmy Earl Gilbert (Doc. No. 143.) Plaintiff Jimmy Earl Gilbert was dismissed from this action by Stipulation of Dismissal filed with the Court on June 30, 2009 (Doc. No. 157). Therefore, Defendant's Motion for Summary Judgment with respect to Plaintiff Jimmy Earl Gilbert is **DENIED** as moot.

SO ORDERED.

Signed: July 10, 2009



Graham C. Mullen
United States District Judge

